

THE
DECLARATION
OF THE
Lords and Commons

In Parliament assembled,
Concerning His MAJESTIES
severall Messages about the
MILITIA.

Jovis 5. Maii. 1642.

*Ordered by the Lords and Commons assembled
in Parliament, that this Declaration shall be
forthwith printed and published.*

Jo. Browne Cleric.
Parliamentorum.

LONDON,
Printed for John Wright. 1642.

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Die Iovis 5. Maii 1642.

THe Lords and Commons holding it necessary for the peace and safety of this Kingdome to settle the Militia thereof, did for that purpose prepare an Ordinance of Parliament, and withall humility did present the same to His Majesty for His Royall assent, Who notwithstanding the faithfull advice of His Parliament, and the severall reasons offered by them of the necessity thereof, for the securing of His Majesties Person, and the peace and safety of his people, did refuse to give His consent, and thereupon they were necessitated, in discharge of the trust reposed in them as the representative body of the Kingdome, to make an Ordinance by authority of both Houses, to settle the Militia, warranted thereunto by the fundamentall Laws of the Land. His Majesty taking notice thereof, did by

severall Messages invite them to settle the same by Act of Parliament, affirming in His Majesties message sent in answer to the Petition of both Houses presented to his Majesty at *Torke*, *March 26*. That he alwaies thought it necessary the same should be settled, and that he never denied the thing, only denied the way; & for the matter of it, took exceptions onely to the preface, as a thing not standing with His honour to consent to, and that Himselfe was excluded in the execution, and for a time unlimited: Whereupon the Lords and Commons being desirous to give His Majesty all satisfaction that might be, even to the least tittle of forme, and circumstance; and when His Majesty was pleased to offer them a Bill ready drawne, did for no other cause then to manifest their hearty affection to comply with His Majesties desires and obtaine his consent, entertaine the same; and in the meane time no way declining their Ordinance, and to expresse their earnest zeale to correspond with His Majesties desire (in all things that might consist with the peace and safety of the Kingdome, and the trust reposed in them) did passe that

Bill

Bill, and therein omitted the preamble inserted before the Ordinance, limited the time to lesse then two yeeres, and confined the authority of the Lieutenants to these three particulars, namely Rebellion, Insurrection, and forraine Invasion, and returned the same to His Majesty for His royall assent. But all these expressions of affection and loyalty, all those desires and earnest endeavours to comply with His Majesty, hath (to their great grieve and sorrow) produced no better effect then an absolute denyall, even of that which His Majesty by His former Messages, as we conceive, had Promised; the advice of evill and wicked Counsels, receiving still more credit with Him, then that of His great Counsell of Parliament, in a matter of so high importance, that the safety of His Kingdome, and the peace of his people depends upon it. But now what must be the exceptions to this Bill? not any sure, that was to the Ordinance; for a care was taken to give satisfaction in all these particulars, Then the exception was because that the disposing and execution thereof was referred to both Houses of Parliament, and His Majesty

Majesty excluded: and now that by the Bill, the power and execution is ascertained, and reduced to particulars and the law of the Realme made the rule thereof, his Majestie will not trust the persons. The power is too great, too unlimited to trust them with. But what is that power? Is it any other, but in expresse terms to suppress Rebellion, Insurrection, and forraigne invasion? And who are those persons? are they not such as were nominated by the great Counsel of the Kingdome, and assented to by his Majesty. And is it too great a power to trust those persons with the suppression of Rebellion, Insurrection, and forraigne Invasion? surely the most wicked of them that advised his Majesty to this Answer cannot suggest, but that it is necessary for the safety of his Majesties Royall Person and the peace of the Kingdome, such a power should be put in some hands. And there is no pretence of exception to the persons. His Majesty for the space of above fifteene yeares together, thought not a power farre exceeding this to bee too great to intrust particular persons with, to whose will the Lives and Liberties of
of

of his people by Martiall Lawes were made
subject, for such was the power given to Lord
Lieutenants, and Deputy Lieutenants in e-
very County of this Kingdome, and that
without the consent of his people, or autho-
rity of Law. But now in case of extreame ne-
cessity, upon the advice of both Houses of
Parliament for no longer space then two
yeares, a lesser power, and that for the
safety of King and people, is thought too
great to trust particular persons with, though
named by both Houses of Parliament, and
approved of by his Majesty himselfe. And
surely if there be a necessity to settle the *Mi-
litia* (which his Majesty was pleased to con-
fesse) the persons cannot be intrusted with
lesse power then this to have it all effectuall.
And the Presidents of former Ages when
there hapned a necessity to raise such a power,
never straightned that power to a narrower
compasse, witnesse the Commissions of Array
in severall Kings raignes, and often issued
out by the consent and authority of Parlia-
ment. The Lords and Comons therefore in-
trusted with the safety of the Kingdome, and
peace of the people, (which they call God

to witnesse is their only aime) finding themselves denied these their so necessary, and just demands, and that they can never be discharged before God or Man if they should suffer the safety of the Kingdome and peace of the people to be exposed to the malice of the malignant party at home, or the fury of enemies from abroad. And knowing no other way to encounter the imminent & approaching danger, but by putting the people into a fit posture of defence, doe resolve to put their said *Ordinance* in present execution, and doe require all persons in authority by vertue of the said *Ordinance* forthwith to put the same in execution, and all others to obey it, according to the fundamentall lawes of the Kingdome in such cases, as they tender the upholding of the true Protestant Religion, the safety of his Majesties person, and his Royall Posterity, the peace of the Kingdom, and the being of this Common-wealth.

FINIS.

